IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

TUESDAY, THE 20TH FEBRUARY 2007 / 1ST PHALGUNA 1928

WP(C).No. 627 of 2007(Y)

PETITIONER:

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1. V.V.BABU,
   VADEPARAMBIL HOUSE, AZHICODE,
   THRISSUR, PIN-680 673, WORKING AS
   SUB INSPECTOR OF POLICE, CONTROL ROOM,
   ALUVA.

2. A.K.VISWAMBHARAN,
   AMBAZHEKADAN HOUSE, CHALAKKUDY (VIA),
   KUTTICHIRA P.O., TRICHUR DISTRICT, WORKING AS
   SUB INSPECTOR OF POLICE, PORT REGISTRATION OFFICE,
   WILLINGDON ISLAND, KOCHI.

3. M.M.STALIN,
   MANAKUMBITHRA HOUSE, PERUMPADAPPU-KONAM,
   PALLURUTHY, KOCHI-6, WORKING AS
   SUB INSPECTOR OF POLICE, CITY TRAFFIC,
   KOCHI CITY.

4. P.P.VENU,
   PASSPORT OFFICE QUARTERS, PLOT NO.11,
   TYPE - 111/18, PERUMANNOOR, THEVARA,
   WORKING AS SUB INSPECTOR OF POLICE, CONTROL ROOM,
   KOCHI CITY.

5. T.C.AYYAPPAN,
   THURUTHEL MALAYIL HOUSE, KUREEKKADU P.O.,
   ERNAKULAM, WORKING AS SUB INSPECTOR OF POLICE,
   CRIME BRANCH CID, ERNAKULAM.

6. K.C.HARIHARAN,
   KALATHIL HOUSE, KUMBALANGHI SOUTH P.O.,
   KOCHI-682 007, WORKING AS SUB INSPECTOR OF
   POLICE, SPECIAL BRANCH, KOCHI CITY.

BY ADV. SRI.S.SREEKUMAR
SRI.P.K.SOYUZ

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY
   HOME SECRETARY, GOVT. SECRETARIAT,
   TRIVANDRUM.

2. THE DIRECTOR GENERAL OF POLICE,
POLICE HEADQUARTERS, TRIVANDRUM.

3. THE DEPUTY INSPECTOR GENERAL OF POLICE,
ERNAKULAM RANGE, ERNAKULAM.

BY GOVT. PLEADER SHRI. BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 627 OF 2007 Y
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Dated this the 20th February, 2007

J U D G M E N T

The petitioners are Sub Inspectors of Police. It is contended that they have not been assigned the correct date of promotion as Sub Inspectors of Police on regularisation of similarly situated incumbents in that category and consequently, they are not assigned proper seniority in the provisional seniority list published by the 3rd respondent vide Ext. P6. Petitioners 1 to 5 have filed objections against the provisional seniority list as discernible from Exts. P9 to P12 and P7. Petitioner No. 6 has not filed any objection. Pending consideration of the objections and pending finalisation of Ext. P6 seniority list, the 3rd respondent has prepared Ext. P8 promotion list for promoting Sub Inspectors of Police as Circle Inspectors of Police. It is the contention of the petitioners that juniors find place in Ext. P8 and the petitioners have been overlooked for no fault of them.

2. In order to go deeper into the above contention it is necessary that the 3rd respondent shall consider the merit of the objections raised by petitioners 1 to 5 in the representations filed by them as stated above

and shall come out with the final seniority list as early as possible. Accordingly, there shall be an order directing the 3rd respondent to consider Exts. P9 to P12 and P7 on merits and in accordance with law, if necessary after affording an opportunity of being heard to the petitioners 1 to 5 and any other Sub Inspector of Police who may be affected by the decision of the 3rd respondent and finalise Ext. P6 provisional seniority list within two months from the date of receipt of a copy of the judgment. Depending upon the order to be passed on the above objections as also the ranks to be assigned or re-assigned to the incumbents shown therein, the claim of the petitioners for inclusion in Ext. P8 shall be taken up immediately. The writ petition is disposed of with the above directions.

The petitioner shall produce a copy of the judgment and a copy of the writ petition before the 3rd respondent for information and compliance.

K.K. DENESAN
JUDGE

jan/